

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 11-2000)		ATTORNEY'S DOCKET NUMBER 112740-975
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR) Unknown <b>10/500877</b>
INTERNATIONAL APPLICATION NO. PCT/DE02/04745 ✓	INTERNATIONAL FILING DATE December 27, 2002 ✓	PRIORITY DATE CLAIMED January 7, 2002 ✓
TITLE OF INVENTION <b>Method and Apparatus for Transferring Data Wherein a Bit Rate Adaptation Model is Signaled Between the Transmitter and the Receiver</b>		
APPLICANT(S) FOR DO/EO/US <b>Martin Doettling, et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input checked="" type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV 351200565 US</u></li> <li>23. <input type="checkbox"/> Other items or information:</li> </ol>		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <b>10/500877</b>	INTERNATIONAL APPLICATION NO. <b>PCT/DE02/04745</b>	ATTORNEY'S DOCKET NUMBER <b>112740-975</b>
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24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

**CALCULATIONS PTO USE ONLY**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1080.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$920.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$770.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$730.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$920.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	41 - 20 =	21	x \$18.00
Independent claims	5 - 3 =	2	x \$86.00

**\$378.00**

**\$172.00**

Multiple Dependent Claims (check if applicable). ☐

**\$0.00**

**TOTAL OF ABOVE CALCULATIONS =**

**\$1,470.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$0.00**

**SUBTOTAL =**

**\$1,470.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**\$0.00**

**TOTAL NATIONAL FEE =**

**\$1,470.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☒

**\$40.00**

**TOTAL FEES ENCLOSED =**

**\$1,510.00**

Amount to be:	\$
refunded	
charged	\$

- a. ☒ A check in the amount of **\$1,510.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818**
- d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

Patrick B. Law  
Reg. No. 41,549  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Telephone: (312) 781-6801

  
SIGNATURE

Patrick B. Law

NAME

41,549

REGISTRATION NUMBER

July 6, 2004

DATE

10/500877

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin Doettling, et al.  
Appl. No.: Unknown  
Int'l Application No.: PCT/DE02/04745  
Conf. No.: Unknown  
Filed: July 7, 2004  
Int'l Filing Date: December 27, 2002  
Title: METHOD AND APPARATUS FOR TRANSFERRING DATA WHEREIN A  
BIT RATE ADAPTATION MODEL IS SIGNALLED BETWEEN THE  
TRANSMITTER AND THE RECEIVER  
Art Unit: Unknown  
Examiner: Unknown  
Docket No.: 112740-975

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter US Designated/Elected Office (duplicate);
2. International Application (38 pages);
3. English translation of International Application (38 pages);
4. Preliminary Amendment (54 pages);
5. Declaration and Power of Attorney (3 pages);
6. Assignment (2 pages);
7. Assignment Recordation Cover Sheet (1 page);
8. Copy of Preliminary Examination Report (8 pages);
9. Copy of International Search Report (4 pages);
10. Check in the Amount of \$1,510.00; and
11. Return Receipt Postcard.

Appl. No. Unknown  
Int'l Application No.: PCT/EP02/11648

DI13 PCT/EP 07 JUL 2004

10/500877

are being deposited with the United States Postal Service with sufficient postage as  
Express Mail in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 7, 2004.

Respectfully submitted,  
BELL, BOYD & LLOYD LLC

Renee Street

Name of Person Mailing Correspondence

Signature

EV 351200565 US

Express Mail Mailing Label Number

EV351200565US